



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	The Manufactured Home Installation Board
MEETING DATE AND TIME:	Monday, March 14, 2011 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B, Cannon Building
MINUTES APPROVED:	April 11, 2011

MEMBERS PRESENT

Jill Fuchs, President
Richard Snyder, Secretary
Charlie Eggleston, Complaint Officer
Leslie Persans, Education Officer
Kevin Reinike
Victor Kennedy

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Heeney, Deputy Attorney General
Gayle Melvin, Administrative Specialist III

MEMBERS ABSENT

Keith Rudy, Vice-President
James Brockton

ALSO PRESENT

Jen Allen, FSMHA
Juli LaBadia, Court Reporter

CALL TO ORDER

Ms. Fuchs called the meeting to order at 9:05 a.m.

REVIEW OF MEETING MINUTES

The Board reviewed the minutes of the January 10, 2011 meeting. Mr. Eggleston made a motion, seconded by Mr. Reinke to approve the minutes. The motion was unanimously carried.

NEW BUSINESS

Appointment of New Board Member

Ms. Melvin reported that Dean Pierson has been appointed to the Board as an installer member; however, he was unable to attend this meeting.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

Mr. Eggleston made a motion, seconded by Ms. Persans to amend the agenda to add review of the letter from Halder Garcia, Jr. regarding his continuing education. The motion was unanimously carried.

The Board reviewed a letter from Halder Garcia, Jr. Mr. Garcia was unable to attend the continuing education course offered by First State Manufactured Housing Association. However, he had completed the fifteen hour course offered by the Manufactured Housing Educational Institute, which is the course that an individual must complete in order to receive an installer license. He requested that the Board accept this course for continuing education. Mr. Garcia will still be required to show proof of the bond and liability insurance in order to complete the renewal process. Mr. Eggleston made a motion, seconded by Mr. Reinke to approve Mr. Garcia's request. The motion was unanimously carried.

PUBLIC COMMENT

There was no public comment at this meeting.

HEARINGS

Rule to show cause hearings had been scheduled for Robert Coleman and Darin L. Martin. Ms. Melvin reported that she had not received return receipt cards for the certified mail from Mr. Coleman or Mr. Martin. She had spoken to Mr. Coleman who indicated that he had not received the certified letter. Ms. Persans asked that the letters be tracked. Mr. Eggleston made a motion, seconded by Ms. Persans to reschedule the hearings for Mr. Coleman and Mr. Martin for the next meeting and to send their hearing letters by both regular and certified mail. The motion was unanimously carried.

Public Hearing Regarding Proposed Changes to the Rules and Regulations

Ms. Heeney called the Public Hearing to order at 9:18 a.m. The Board proposed revisions to Rule 9.0. The Board's licensing law, Chapter 44 of Title 24 of the Delaware Code, provides that all manufactured home installations must be performed, at minimum, in compliance with the requirements of the United States Department of Housing and Urban Development ("HUD"). The revisions to Rule 9.0 expressly incorporate HUD's installation requirements. In particular, the rules reference specific sections of the Code of Federal Regulations. The revisions, also specify that, with respect to site suitability (Rule 9.2), site preparations (Rule 9.3) and foundation construction (Rule 9.4), where State, county or municipal standards are more stringent than HUD requirements, the installer must comply with the more stringent standards. Notice of the

Public Hearing was published in two Delaware newspapers. Notice of the Public Hearing was published in the Delaware Register of Regulations. Verbatim testimony was recorded by the court reporter. No written comments were received. No public comments were received. At 9:21 a.m., the Board went off the record and held deliberations. At 9:22 a.m., the Board went back on the record. Mr. Snyder made a motion, seconded by Mr. Eggleston to accept the proposed revisions as written. The motion was unanimously carried. Board members signed the final order from the Public Hearing. The Public Hearing closed at 9:23 a.m.

Theodore S. Spengos

Ms. Melvin reported that she had received an email from Atlantis Homes on November 24, 2010 advising that Mr. Spengos had been terminated, would no longer be using the license and his bond had been cancelled. She had contact Mr. Spengos about what he wished to do with his license. Since no response had been received from Ms. Spengos, a rule to show hearing was scheduled. Mr. Spengos sent an email to Ms. Melvin on March 8, 2011 advising that he was no longer working in the manufactured home industry and would like to have his license cancelled. Mr. Eggleston made a motion, seconded by Mr. Reinke to accept the cancellation of Mr. Spengos' license. The motion was unanimously carried.

Rule to Show Cause Hearing for Harold Scott, Jr.

Ms. Heeney called the rule to show cause hearing to order at 9:33 a.m. This hearing was held for Harold Scott, Jr. to show cause why the Board should not take disciplinary action against his license for failure to respond to the Board's request for documentation in connection with the audit. Mr. Scott was not present for the hearing. The certified mail green card had been returned to the Board office showing that Mr. Scott had received the hearing notice. Verbatim testimony was recorded by the court reporter.

At 9:35 a.m., the Board went off the record to hold deliberations. The Board went back on the record at 9:44 a.m. Mr. Kennedy made a motion, seconded by Mr. Eggleston that the license of Harold Scott, Jr. be suspended for 30 days effective today. Mr. Scott has 30 days from the date of the mailing of the order to provide proof of the required continuing education and to provide a letter from an authorized inspection agency verifying that he is an employee or his license will be revoked with no further notice or hearing. The motion was unanimously carried. The hearing concluded at 9:45 a.m.

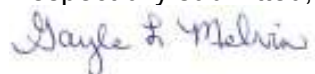
NEXT SCHEDULED MEETING

The next meeting was scheduled for April 11, 2011 at 9:00 a.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business, Mr. Eggleston made a motion, seconded by Ms. Persans to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 9:47 a.m.

Respectfully submitted,



Gayle L. Melvin
Administrative Specialist III